

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**In re:**

**WAREHOUSE 86, LLC**

**Debtor**

**CASE NO. 08-03423-EE  
Chapter 11**

**ORDER GRANTING MOTION FOR EXPEDITED HEARINGS ON  
CERTAIN FIRST DAY MOTIONS AND APPLICATIONS**  
[Dkt. # 16]

THIS MATTER came on for consideration on the Emergency Motion for Expedited Hearings on certain “First Day Motions” and Applications [Dkt. # 16] filed by Warehouse 86, LLC, the Debtor and debtor-in-possession herein (the “Debtor”). The Court, being fully advised in the premises, is of the opinion that the Motion is well-taken and should be approved, and finds and orders as follows:

1. The Debtor filed its voluntary petition under Chapter 11 of the Bankruptcy Code, 11 U.S.C. § 101, *et seq.* on November 4, 2008.
2. The Debtor remains in possession of its property and continues to operate its business as debtor-in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code. No trustee, examiner or committee has been appointed in this case.
3. The relief requested in each of the motions and applications listed on Exhibit “A” hereto (collectively the “First Day Motions and Applications”) is necessary to avoid immediate and irreparable harm to the Debtor’s business and to its estate. It is essential to the continued operation of the Debtor’s business that the Debtor satisfy or maintain its current obligations and that it continue its operations without interruption.

4. Notice and Service of the Motion were provided to all parties listed in the certificate of service attached to the Motion, and the Court finds that such notice and service were sufficient under the circumstances.

IT IS, THEREFORE, ORDERED that an expedited hearing on each of the First Day Motions and/or Applications listed on Exhibit "A" attached hereto be set for November 6, 2008 at 9:15 a.m. in the Courtroom of the United States Bankruptcy Court, 100 East Capitol Street, Jackson, MS.

SUBMITTED BY:

s/ Stephen W. Rosenblatt  
Stephen W. Rosenblatt (MS Bar No. 5676)  
John A. Crawford, Jr. (MS Bar No. 10346)  
Paul M. Ellis (MS Bar No. 102259)  
ATTORNEYS FOR DEBTOR

**Exhibit “A”**

**First Day Motions and/or Applications for Warehouse 86, LLC**

1. *Emergency Motion of Debtor for Expedited Hearings on certain “First Day Motions” and Applications;*
2. *Motion to Approve Form of Final Hearing Notice and Establish Notice Parties for First Day Motions;*
3. *Emergency Motion for a Preliminary and Final Order (I) Authorizing Post-Petition Financing on a Secured and Super Priority Basis Pursuant to 11 U.S.C. §§ 105, 361, 363, 364(c)(1), 364(c)(2), 364(c)(3), 364(d)(1) and 507(b), (II) Granting Other Related Relief and (III) Scheduling a Final Hearing Pursuant to Rule 4001;*
4. *Emergency Motion (1) Authorizing Interim Use of Cash Collateral; (2) Providing Adequate Protection under 11 U.S.C. § 361 and 363; and (3) Setting Date for Final Hearing on Use of Cash Collateral of Stuart M. Irby;*
5. *Motion for Authority to Pay Certain Pre-Petition Employee Obligations and Post-Petition Workers Compensation Premiums;*
6. *Emergency Motion for Authorization to Maintain Existing Bank Accounts and Cash Management System;*
7. *Motion for Authority to Pay Post-Petition Installments on Insurance Policies Necessary to Maintain Insurance Coverage;*
8. *Motion for Interim and Final Orders: (A) Prohibiting Utilities from Altering, Refusing or Discontinuing Services to, or Discriminating Against, the Debtor on Account of Pre-Petition Amounts Due; (B) Determining that the Utilities are Adequately Assured of Future Payment; (C) Establishing Procedures for Determining Requests for Additional Assurance; and (D) Permitting Utility Companies to Opt Out of the Procedures Established Herein;*
9. *Motion for Authority to Pay Collected Pre-Petition Sales and Use Taxes in the Ordinary Course; and*
10. *Application of Debtor to Employ Butler, Snow, O'Mara, Stevens & Cannada, PLLC as its Attorneys and Disclosure of Compensation.*